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FM USEU BRUSSELS

TO RUEHC/SECSTATE WASHDC PRIORITY

INFO RUCNMEM/EU MEMBER STATES COLLECTIVE PRIORITY

RUEHGG/UN SECURITY COUNCIL COLLECTIVE PRIORITY

RUEHKU/AMEMBASSY KUWAIT PRIORITY

RUEADRO/HQ ICE DRO WASHINGTON DC PRIORITY

RUEATRS/DEPT OF TREASURY WASHDC PRIORITY

RHMFIASS/HOMELAND SECURITY CENTER WASHDC PRIORITY

RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY

RHEFHLC/DEPT OF HOMELAND SECURITY WASHINGTON DC PRIORITY

RUEAOARC/US CUSTOMS AND BORDER PROTECTION WASHINGTON DC PRIORITY

RHMFIASS/FBI WASHINGTON DC PRIORITY

RUCPDOC/USDOC WASHDC PRIORITY

RHEHNCS/NSC WASHDC PRIORITY

RUEAAIA/CIA WASHINGTON DC PRIORITY

RUEKJCS/DOD WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 000494

SIPDIS

EEB/ESC/TFS (JJALLORINA)

E.O. 12958: DECL: 04/01/2019

TAGS: [ETTC](#) [KTFN](#) [PTER](#) [EFIN](#) [PREL](#) [PINR](#) [UNSC](#) [KCRM](#) [KJUS](#)

KHLS, EUN, KU

SUBJECT: TERRORISM FINANCE: KUWAIT-BASED CHARITY THE  
REVIVAL OF ISLAMIC HERITAGE SOCIETY (EU RESPONSE TO U.S.  
DOMESTIC DESIGNATION)

REF: A. 2008 STATE 65511

[1B](#). SNYDER-JALLORINA EMAIL 10/22/2008

[1C](#). LAMBERT-SNYDER EMAIL 5/29/2008

Classified By: USEU Econ Minister-Counselor Peter H. Chase for reasons  
1.4 (b), (d), (e).

[11](#). (C) The EU formally responded to Ref A regarding the designation of Kuwait-based charity Revival of Islamic Heritage Society as a terrorist organization with the following letter, previously transmitted Ref B. Recent conversations related to similar designation cases demonstrate that this is a continuing area of divergence between the U.S. and EU approaches to countering terrorist financing (Ref C). As Septels will explain for the cases of LeT individuals, three Gulf-based AQ financiers, and three members of Al-Shabaab, the EU is taking a position that Al Qaeda / Taliban-linked terrorists must be designated first at UN level before the EU will consider listing.

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Text of Combined EU Response to Various U.S. Demarches:  
LET, RIHS, Gulf-based AQ, and Venezuela-based Hizballah  
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[12](#). (SBU) USEU translation in English; original in French follows):

Begin USEU English Translation

Brussels, 9 October 2008

Madam,

Following your letters of 11, 19 and 27 June requesting the European Union to take position on a number of recent designations by the United States of persons and entities suspected of supporting terrorism, I would like to inform you of the following considerations, subsequent to a discussion inside the competent Council working group charged with these issues.

Concerning the four people linked to the LET, the three people linked to the Gulf-based Al Qaida, and the Kuwait-based entity, it appears to be persons and entities who are susceptible to belong to the list established following the resolution 1267 of the UN Security Council.

The constant practice, when dealing with the implementation of the resolution 1373 of the UNSC through the European listing of terrorist persons and entities has always been to keep the two sanctions regimes distinct. In this context, the working group considered that these requests were not in its field of competence.

On the other hand, concerning the request on the two persons and entities based in Venezuela presumably supporting Hezbollah, the Presidency would appreciate if any additional information could be communicated to the delegations in order to allow a thorough examination in the framework of the criteria of the Common Position 2001/931/CFSP. In this context, elements concerning the exact legal base for the designation of these people and entities would be extremely useful.

The Presidency thanks the U.S. Mission,  
Sincerely Yours  
End English translation; Begin French text:

Bruxelles, le 09 octobre 2009

Madame,  
Faisant suite a vos lettres des 11, 19 et 27 juin dernier demandant a l'Union europeenne de prendre position sur une serie de designations recentes par les Etats-Unis de personnes et entites soupconnes de soutenir le terrorisme, je souhaite vous informer des considerations suivantes, suite a une discussion du groupe de travail competent du Conseil saisi de cette question.

Concernant les quatre personnes lies au LET ainsi que les

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trois personnes lies a Al Qaida basees dans la region du Golfe et l'entite basee au Koweit, il semble qu'il s'agit de personnes et entites susceptibles de relever de la liste etablie en vertu de la resolution 1267 du Conseil de securite des Nations Unies. La pratique constante s'agissant de la mise en oeuvre de la resolution 1373 du CSNU au travers de la liste europeenne des personnes et entites terroristes a toujours ete de maintenir la distinction entre les deux regimes de sanctions. Dans ce contexte, le groupe de travail a estime que ces demandes n'avaient pas vocation a relever de sa competence.

S'agissant par contre de la demande relative aux deux personnes et aux deux entites bases au Venezuela presumes soutenir le Hezbollah, la Presidence souhaiterait que soit porte a la connaissance des delegations toute information complementaire permettant un examen approfondi au regard des criteres de la position commune 2001/931/PESC. Dans ce contexte, des elements sur la base juridique exacte de designation de ces personnes et entites seraient de la plus haute utilite.

La Presidence remercie la Mission des Etats-Unis aupres de l'Union europeenne et saisit cette occasion pour lui renouveler les assurances de sa tres haute consideration.

Presidence du groupe PC 931

End French Text.

MINIMIZE CONSIDERED

MURRAY

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